

REMARKS

The Office Action rejected claims 1, 2, 6, 13-15, 19, 26, 30, 37, 38 and 42 under 35 U.S.C. 102(e) as being anticipated by Tomic (U.S. 6,293,701). In addition, the remaining claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Tomic in view of Kettner (U.S. 5,356,222) or Pope (U.S. 5,140,796).

Applicant has cancelled claims 1-48 and has submitted new claims 49-81. The pending claims distinguish over the Tomic reference. In the Tomic reference, each of the profile 130", 131" are colored a certain color, except for a transparent region 220. Column 10, lines 9-11. The catch 149" of the closure member 144" is colored a different color. Column 10, lines 11-12. The colored catch 149" is visible or viewable through the region 220 of transparent material. Column 10, lines 13-15. Thus, in the Tomic reference, the user is viewing the colored catch 149" along the Y axis. The pending claims recite viewing in the Z axis. Furthermore, the Tomic reference discloses a catch 149" and a transparent region 220. Thus, the user is viewing the color of the catch 149". The pending claims state that the first color combines with the second color to form a third color.

With respect to the Kettner reference, the first colors 27 only are visually viewable through the color observable (e.g. translucent) webs 28, 30. Column 5, lines 23-25. Thus, user views the first colors 27 by viewing them along the Y axis. The pending claims recite viewing in the Z axis.

These references, neither alone nor in combination, teach or suggest the claimed invention.

In re Appln. of Alan F. Savicki
Application No. 10/049,536

Conclusion

The application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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